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MARYLAND DEPARTMENT OF THE ENVIRONMENT

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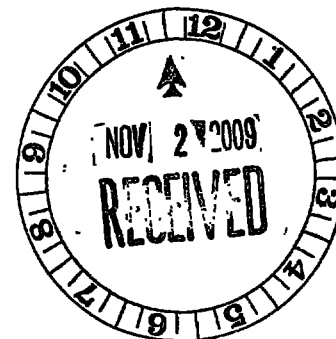
Martin O'Malley
Governor

Shari T. Wilson
Secretary

Anthony G. Brown
Lieutenant Governor

Robert M. Summers, Ph.D.
Deputy Secretary

October 28, 2009



Surface Transportation Board
395 E Street, S.W., Room 1106
Washington DC 20423-0001

RE: Docket No. AB-²⁹⁰~~209~~ (Sub-No. 311X), Norfolk Southern Railway Company
Abandonment-in Baltimore City and Baltimore County, Maryland

Dear Sir/Madam:

The proposed plans for the Norfolk Southern Railway Company (NSR) to abandon its rail freight service operations along a segment of rail line between Milepost UU1.00 and Milepost UU 15.44 in Baltimore County and Baltimore City as described in the Combined Environmental and Historic Report does not appear to impact regulated water resources that would require an authorization from the State of Maryland.

If work is determined to impact any tidal or nontidal wetland, 25-foot nontidal wetland buffer, any waterway and/or floodplain during the abandonment process then an authorization would be required by the State of Maryland prior to the start of any work. To obtain authorization a Joint State/Federal Application for the Alteration of Any Floodplain, Waterway, Tidal or Nontidal Wetland in Maryland must be submitted to the Department. The application may be downloaded for use from our website:

<http://www.mde.maryland.gov/assets/document/wetlandswaterways/alter.pdf>

If you have any further questions please feel free to contact me by phone at 410) 537-3911.

Sincerely,

Cheryl Kerr
Natural Resource Planner
Nontidal Wetlands and Waterways Program